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USR Metals, Inc.

Harry Steinmetz to: Joanne Marinelli, Humane Zia, Mitch Cron

01/05/2011 10:22 AM

On December 21, 2010 and on behalf of USR Metals, Inc., Ralph McElvenny wrote to Joanne, Humane, Mitch and I with regard to the information request sent to him dated November 23, 2010. This request seeks updated financial information of USR Metals, Inc. With this December 21 letter to us, Mr. McElvenny requests an extension until February 12, 2011 to comply with this request. I discussed the matter with Humane, then Joanne and we agreed that such an extension request was reasonable and should be granted.

On January 5, 2011 I called Mr. McElvenny at 713/854-8150 and informed him that the extension request until February 12 had been approved.

(An additional copy of this memo was submitted to the File Room)

**USR METALS, INC.
c/o Ralph T. McElvenny, Jr.
2000 Bering Drive, Suite 258
Houston, Texas 77057**

December 21, 2010

By: Certified Mail/RRR

United States Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029
Attn: Ms. Joanne L. Marinelli
Chief, Cost Recovery Branch
Mr. Harry Steinmetz (3HS62)
Humane Zia, Esquire (3RC41)

Dear Ladies and Gentlemen:

This acknowledges receipt of the EPA letter dated November 23, 2010 and received Monday, November 29, 2010 which requires updated corporate and financial information respecting USR Metals, Inc. ("Metals"). The updated information will supplement that provided in and enclosed with Metals' letter to EPA dated October 31, 2006.

Time to Answer. Please note that the EPA's November 23, 2010 letter provides inconsistent deadlines for the required response. Under the Information Requested paragraph at the foot of page 2 that letter twice repeats, in boldface, that the response is due within "**thirty (30) business days of receipt**" (underline added). Allowing for Federal holidays on December 24 and December 31, 2010, that date would be January 12, 2011. However, the EPA letter contradicts itself on page 8 where it requires, again in boldface, that response must be provided within "**30 calendar days of receipt**" (underline added). That date, which is inconsistent and would provide no allowance for any of the intervening legal holidays, would be December 24, 2010.

REQUEST FOR EXTENSION OF TIME TO ANSWER. Metals hereby timely requests a thirty (30) day extension of time to answer until February 12, 2011. This brief extension is needed because, as mentioned when I was ill at home and received a morning cell phone call at home from your office about updating the 2006 information, I do not have current knowledge or information concerning operations, if any, as once conducted at the Bloomsburg, Pennsylvania site owned by Safety Light Corporation ("Site"). Much of the requested information respecting "hazardous substances" as defined under Section 101 (14) of CERCLA, which were transported to, stored, treated or disposed of at the Site is (if not already provided to EPA) in the hands of third parties and not in the possession, custody or control of Metals, its employees or agents. Additional time is required to gather and provide that information to you.

The lengthy and detailed information provided with the 2006 response reflects the efforts Metals has made to cooperate with and assist the EPA. Although a tiny entity itself, Metals mounted prolonged and extremely vigorous and costly efforts to uncover the long-ago history of the Site. Even while it was literally being driven out of business, Metals put together investigation, analysis and significant funding for remediation of the Site. By dint of these efforts Metals uncovered indications of insurance policies dating to the late 1800s, and used them to launch Federal Court actions against many of the world's largest and most powerfully represented property and casualty insurers. After exhaustive legal actions, Metals was able to discover and put forward in Federal Court sufficient information to force recoveries from the insurers. Thereby Metals was able to contribute millions of dollars to cover the costs of analysis and remediation on Site. In particular, through insurance recoveries and under Federal Court supervision Metals was able to pay the costs to excavate silos placed on Site decades earlier when Metals had completely different management. It should be noted, as well, that the use of silos was shown to have been consistent with widespread disposal practice at that earlier time. In fact, the U.S. Government constructed more than 1,000 such silos for its own use.

While neither Metals nor most other thoughtful corporate citizens would disagree with the general policy objective of having a good environment, it seems unfortunate--in fact tragic--that so many American jobs have been lost

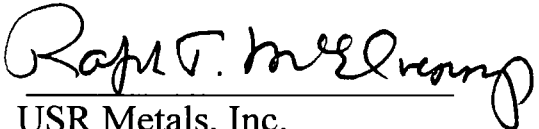
and that so many small communities such as Bloomberg have been damaged as a result of the approaches chosen in pursuit of that objective.

Please note further that, in event this Request for Extension of Time to Answer for good cause shown is not granted, this shall provide timely initial Notice of Appeal from any such decision.

If you have any questions I can still be reached on my cell at (713) 854-8150.

Thank you.

Very truly yours,

A handwritten signature in cursive script, reading "Ralph T. McElvenny". The signature is written in dark ink and is positioned above the printed name and title.

USR Metals, Inc.

By: Ralph T. McElvenny, Jr.

CC: Mr. Harry Steinmetz (3HS62)
Humane Zia (3RC41)
Mr. Mitch Cron (3HS22)

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